REMARKS

Claims 1 to 8, 15, 17 to 23 and 25 to 36 are pending this application of which claims 1, 3, 5, 15, 23 and 31 to 36 are the independent claims. Favorable reconsideration and further examination are respectfully requested.

Initially, the Examiner has indicated that claims 1 and 2 are allowable. Applicants have amended claim 1. The Examiner has also indicated that claims 16 and 24 would be allowable if they were amended to include the base claim. Accordingly, Applicants have amended claims 15 and 23 to include the limitations of claims 16 and 24 respectively.

Turning to the prior art rejection, claims 3 and 4 were rejected as being anticipated by Tiedmann (U.S. Patent No. 6,223,153).

Claim 3, as amended, is directed to a method of controlling power in a radio communication system having a radio interface between a first radio station and a second radio station. The method includes receiving transmissions of the second radio station at the first radio station and determining a transmission power correction instruction that corresponds to a transmission power of the second radio station. The transmission power correction instruction corresponds to a variable power adjustment increment. The method also includes evaluating, over time, a condition of transmission between the first radio station and the second radio station. The condition of transmission comprising a speed of movement of the first radio station or the second radio station. The method further includes transmitting the transmission power correction instruction to the second radio station during a transmission of the first radio station and adjusting the transmission power of the second radio station according to the transmission power

correction instruction. The variable power adjustment increment is greater in a medium range of speed than in a high range of speed.

The applied art is not understood to disclose or suggest the foregoing features of claim 3. In particular, Tiedmann does not disclose or suggest "the variable power adjustment increment is greater in a medium range of speed than in a high range of speed" as recited in claim 3.

Specifically, Tiedmann describes a variable power adjustment increment that depends on the speed of movement between the first station and the second station; however, he does not disclose or suggest the relationship other than mentioning that the relationship may be based on an algorithm or a look-up table. Therefore, Tiedmann does not disclose or suggest that the variable power adjustment increment is greater in a medium range of speed than in a high range of speed. Accordingly, Applicants respectfully request withdrawal of the prior art rejection. For at least the foregoing remarks, Applicants believe that claim 3 and its dependent claims are allowable.

Claims 5 to 8 were rejected as being obvious over Tiedmann in view of Persson (U.S. Patent 5,487,174). Applicants note that the Examiner cited Fujita (U.S. 6,128, 476) in paragraph 2 of the Office Action, but references Persson further on. Applicants assume that the Examiner meant to cite Persson.

Claim 5 is directed a method of controlling power in a radio communication system having a radio interface between a first radio station and a second radio station. The method includes receiving transmissions of the second radio station at the first radio station and determining a transmission power correction instruction that corresponds to a transmission

power of the second radio station. The transmission power correction instruction corresponding to a variable power adjustment increment and evaluating, over time, a condition of transmission between the first radio station and the second radio station. The condition of transmission includes one or more of a number of transmitting antennas and a number of receiving antennas used to establish communication between the first radio station and the second radio station. The method further includes transmitting the transmission power correction instruction to the second radio station during a transmission of the first radio station and adjusting the transmission power of the second radio station according to the transmission power correction instruction. The variable power adjustment increment varies in accordance with at least one of the number of transmitting antennas and the number of receiving antennas.

The applied art is not understood to disclose or suggest the foregoing features of claim 5. In particular, neither Tiedmann nor Persson discloses or suggests that "the variable power adjustment increment varies in accordance with at least one of the number of transmitting antennas and the number of receiving antennas" as recited in claim 5.

Specifically, Tiedmann does not describe that the variable power adjustment increment varies in accordance with at least one of the number of transmitting antennas and the number of receiving antennas as indicated by the Examiner on page 4 of the Office Action.

Persson describes a plurality of bases stations measuring the strength of radio signals received from a mobile station and using the signal with the greatest strength to control handover of the mobile station. However, Persson does not disclose or suggest a variable power adjustment increment. Persson describes that the power correction instruction of any base station

should be used in a soft hand over. At best, Persson merely describes a constant power adjustment increment and not one that varies in accordance with at least one of the number of transmitting antennas and the number of receiving antennas.

Even if Tiedmann and Persson were combined, none of the features of the hypothetical combination discloses or suggests that the variable power adjustment increment varies in accordance with at least one of the number of transmitting antennas and the number of receiving antennas.

Moreover, Applicants fail to see a motivation to combine these references. While each reference relates to base station technology, Persson is directed to controlling the transmission of power with regards to a soft handover and Tiedmann is directed to regulating transmitting power based on the speed. There is no motivation to use the handover technology with regulating power based on speed.

For at least the foregoing reasons, Applicants request withdrawal of the art rejection.

In view of the foregoing remarks, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

All correspondence should be directed to the address below. Applicants' attorney can be reached by telephone at the number shown below.

Enclosed is a $420 check for the Petition for the Two-Month Extension of Time fee and an excess claims fee of $516. No other fee is believed to be due for this Reply; however, if any fees are due, please apply such fees to Deposit Account No. 06-1050 referencing Attorney Docket 12758-024001.

Respectfully submitted,

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